

REMARKS

The Examiner has required restriction in the above-identified application as follows:

- Group I: Claims 1-15, drawn to a cardiac port for insertion through a heart chamber, classified in class 606, subclass 108;
- Group II: Claims 16-17, drawn to a method of accessing an interior of a heart chamber, classified in class 128, subclass 898;
- Group III: Claims 18-21, drawn to a method of preparing a beating heart, classified in class 606, subclass 194;
- Group IV: Claims 22-26, drawn to an apparatus for cutting a suture, classified in class 606, subclass 228; and
- Group V: Claims 27-29, drawn to a method for repairing a damaged heart valve, classified in class 606, subclass 232.

For the purpose of examination of the present application, Applicant elects, with traverse, Group II for further prosecution at this time. Group II includes Claims 16-17 and in addition now includes amended Claims 27-29, those claims being amended to depend from Claim 16 and further define the method thereof.

The basis for Applicant's traversal is that there is no undue burden on the Examiner. All of the claims of the present application are searchable within the surgical art and, as such, overlapping areas of search for the different Groups designated by the Restriction Requirement and the Election of Species Requirement are likely. Reconsideration of the Restriction Requirement and the Election of Species Requirement is respectfully requested.

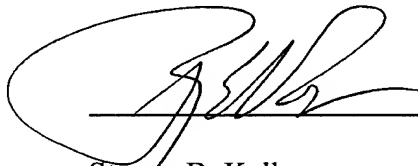
However, in the event that the Examiner chooses not to rejoin and consider all claims of the present application, Applicant reserves the right to file one or more divisional applications to the non-elected subject matter, if he so wishes.

By the concurrently submitted amendment to Claim 27, Applicant has included Claim 27-29 as dependent upon Claim 16, and as further defining the method of accessing an interior of a heart chamber of Group II. Applicant respectfully requests examination of all claims of Group II as defined by the concurrently submitted amendment to the claims.

Applicant submits that the application is now in condition for examination on the merits. Early notification of such action is earnestly solicited.

Respectfully submitted,

PIPER RUDNICK LLP

A handwritten signature in black ink, appearing to read 'S. Kelber', is written over a horizontal line.

Steven B. Kelber
Registration No. 30,073
Attorney of Record

1200 Nineteenth Street, N.W.
Washington, D.C. 20036-2412
Telephone No. (202) 861-3900
Facsimile No. (202) 223-2085

Perry E. Van Over
Registration No. 42,197